

UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

JACOB R. SHEMPER, Individually and on
behalf of all others similarly situated

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:10-cv-138-KS-MTP

BP P.L.C.; BP AMERICA INC.; BP PRODUCTS
NORTH AMERICA INC; BP AMERICA
PRODUCTION COMPANY; BP EXPLORATION
& PRODUCTION INC.; ANADRKO PETROLEUM
CORPORATION; MOEX OFFSHORE 2007, LLC;
TRANSOCEAN LTD.; TRANSOCEAN DEEPWATER,
INC.; TRANSOCEAN OFFSHORE DEEPWATER
DRILLING, INC.; TRANSOCEAN HOLDINGS, LLC;
TRITON ASSET LEASING GmbH; HALLIBURTON
ENERGY SERVICES, INC.; CAMERON
INTERNATIONAL CORPORATION f/k/a
COOPER CAMERON CORPORATION; M-I, LLC;
WEATHERFORD INTERNATIONAL, LTD;
JOHN AND JANE DOES A-Z; and
CORPORATIONS A-Z

DEFENDANTS

**HALLIBURTON ENERGY SERVICES, INC.'S
MOTION TO DISMISS**

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant, Halliburton Energy Services, Inc. ("HESI"), pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure and for the reasons more fully stated in the memorandum in support filed contemporaneously herewith, moves the Court to enter an order dismissing all claims asserted against HESI in the Class Action Complaint ("Complaint") on the grounds that the Court lacks subject matter jurisdiction over this case and that the counts alleged against HESI fail to state a claim upon which relief can be granted.

In the alternative, pursuant to Rule 12(e) of the Federal Rules of Civil Procedure and for the reasons more fully stated in the memorandum in support filed contemporaneously herewith,

HESI moves the Court to enter an order requiring Plaintiff to state the claims alleged against HESI in a more definite and less vague and ambiguous manner, within fourteen (14) days of entry of the order. The Complaint fails to aver with sufficient particularity any factual statements demonstrating Plaintiff's plausible entitlement to relief, including but not limited to any facts showing that HESI violated any duty to Plaintiff, that any HESI wrongdoing proximately caused Plaintiff's alleged damages, and the specific damages HESI allegedly caused.

Respectfully submitted this the 20th day of July, 2010.

HALLIBURTON ENERGY SERVICES, INC.

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CERTIFICATE OF SERVICE

I, DAVID W. STEWART, of the law firm of COPELAND, COOK, TAYLOR & BUSH, P.A., do hereby certify that I have this date electronically filed the foregoing Halliburton Energy Services, Inc ***Halliburton Energy Services, Inc.'s Motion to Dismiss*** with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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So certified, this the 20th day of July, 2010.

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